



General Assembly

February Session, 2008

Raised Bill No. 444

LCO No. 2199

02199_____GAE

Referred to Committee on Government Administration and Elections

Introduced by:
(GAE)

AN ACT CONCERNING CERTAIN REVISIONS AND TECHNICAL CHANGES TO THE ELECTION LAWS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 9-247a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 No candidate, as defined in section 9-601 of the 2008 supplement to
4 the general statutes, [or] member of the immediate family, as defined
5 in section 1-79 of the 2008 supplement to the general statutes, of a
6 candidate or business entity that a candidate is a member of in any
7 capacity shall transport, prepare, repair or maintain a voting machine.
8 No provision of this section shall prohibit (1) a member of the
9 immediate family of a candidate from serving as a moderator, or (2) a
10 candidate for the office of registrar of voters or a member of the
11 immediate family of such a candidate from serving as a voting
12 machine mechanic.

13 Sec. 2. Section 9-250 of the 2008 supplement to the general statutes is
14 repealed and the following is substituted in lieu thereof (*Effective from*

15 *passage*):

16 Ballots shall be printed in [black ink, in] plain clear type [,] and on
 17 [clear white] material of such size as will fit the tabulator, and shall be
 18 furnished by the registrar of voters. The size and style of the type used
 19 to print the name of a political party on a ballot shall be identical with
 20 the size and style of the type used to print the names of all other
 21 political parties appearing on such ballot. The name of each major
 22 party candidate for a municipal office, as defined in section 9-372,
 23 except for the municipal offices of state senator and state
 24 representative, shall appear on the ballot as it appears on the registry
 25 list of the candidate's town of voting residence, except as provided in
 26 section 9-42a. The name of each major party candidate for a state or
 27 district office, as defined in section 9-372, or for the municipal office of
 28 state senator or state representative shall appear on the ballot as it
 29 appears on the certificate or statement of consent filed under section 9-
 30 388, subsection (b) of section 9-391, or section 9-400 or 9-409. The name
 31 of each minor party candidate shall appear on the ballot as it appears
 32 on the registry list in accordance with the provisions of section 9-452 of
 33 the 2008 supplement to the general statutes. The name of each
 34 nominating petition candidate shall appear on the ballot as it is
 35 verified by the town clerk on the application filed under section 9-
 36 453b. The size and style of the type used to print the name of a
 37 candidate on a ballot shall be identical with the size and style of the
 38 type used to print the names of all other candidates appearing on such
 39 ballot. Such ballot shall contain the names of the offices and the names
 40 of the candidates arranged thereon. The names of the political parties
 41 and party designations shall be arranged on the ballots, either in
 42 columns or horizontal rows as set forth in section 9-249a, immediately
 43 adjacent to the column or row occupied by the candidate or candidates
 44 of such political party or organization. [When two or more candidates
 45 are to be elected to the same office, the] The ballot shall be printed in
 46 such manner as to indicate [that] how many candidates the elector may
 47 vote for, [any two or such other number as he is entitled to vote for,]
 48 provided in the case of a town adopting the provisions of section 9-

49 204a, such ballot shall indicate the maximum number of candidates
50 who may be elected to such office from any party. If two or more
51 candidates are to be elected to the same office for different terms, the
52 term for which each is nominated shall be printed on the official ballot
53 as a part of the title of the office. If, at any election, one candidate is to
54 be elected for a full term and another to fill a vacancy, the official ballot
55 containing the names of the candidates in the foregoing order shall, as
56 a part of the title of the office, designate the term which such
57 candidates are severally nominated to fill. No column, under the name
58 of any political party or independent organization, shall be printed on
59 any official ballot, which contains more candidates for any office than
60 the number for which an elector may vote for that office.

61 Sec. 3. Subsections (e) to (h), inclusive, of section 9-140c of the
62 general statutes are repealed and the following is substituted in lieu
63 thereof (*Effective from passage*):

64 (e) Ballots received not later than eleven o'clock a.m. on such last
65 day before the election, primary or referendum shall be delivered by
66 the clerk to the registrars not earlier than ten o'clock a.m. and not later
67 than twelve o'clock noon on the day of the election or primary and at
68 twelve o'clock noon on the day of a referendum. [for counting,
69 provided that the registrars may at their discretion direct the clerk to
70 retain for later delivery as many of such ballots as they deem necessary
71 to preserve the secrecy of ballots to be counted at later times as
72 provided in this section.] If central counting has been designated
73 pursuant to section 9-147a, the clerk shall also deliver to the registrars
74 at this time the duplicate checklist provided for in subsection (b) of this
75 section, for the use of the absentee ballot counters pursuant to
76 subsection (i) of this section.

77 (f) Absentee ballots timely received by the clerk after eleven o'clock
78 a.m. of such last day before an election, primary or referendum shall be
79 sorted into voting districts by the clerk and retained by him separately
80 until delivered [at the times provided in this section] to the registrars

81 of voters for checking. [and counting.]

82 (g) Any or all of such ballots received after eleven o'clock a.m. of
83 such last day before an election, primary or referendum and before six
84 o'clock p.m. on the day of the election, primary or referendum shall,
85 upon request of the registrars, be delivered to the registrars by the
86 municipal clerk at six o'clock p.m. on the day of the election, primary
87 or referendum for checking. [and counting.]

88 (h) Absentee ballots received after six o'clock p.m. and any ballots
89 received prior to six which were not delivered earlier shall be
90 delivered to the registrars at the close of the polls for checking. [and
91 counting] Although absentee ballots shall be checked by the registrars
92 of voters at various times throughout election, primary or referendum
93 day, absentee ballots may be counted at one single time during such
94 day.

95 Sec. 4. Subsection (a) of section 9-150a of the general statutes is
96 repealed and the following is substituted in lieu thereof (*Effective from*
97 *passage*):

98 (a) [Not earlier than ten o'clock a.m. and not later than twelve
99 o'clock noon on the day of the election or primary and not earlier than
100 twelve o'clock noon on the day of a referendum the] The absentee
101 ballot counters shall proceed to the polling places for which they have
102 been assigned ballots or to the central counting location at the times
103 designated by the registrar of voters.

104 Sec. 5. Section 9-435 of the general statutes is repealed and the
105 following is substituted in lieu thereof (*Effective from passage*):

106 Except as provided in sections 9-418 and 9-419, if in any
107 municipality, within the time specified in section 9-405, a candidacy for
108 nomination by a political party to any municipal office or for election
109 as a town committee member is filed with the registrar, in conformity
110 with the provisions of sections 9-405 to 9-412, inclusive, and section 9-

111 414, by or on behalf of any person other than party-endorsed
 112 candidates, the registrar shall forthwith after the deadline for
 113 certification of party-endorsed candidates notify the clerk of such
 114 municipality that a primary is to be held by such party for the
 115 nomination of such party to such office or for the election by such
 116 party of town committee members, as the case may be. Such notice
 117 shall include a list of all the proposed candidates, those endorsed as
 118 well as those filing candidacies, together with their addresses and the
 119 titles of the offices or positions for which they are candidates. In the
 120 case of a primary for justices of the peace, such notice shall also contain
 121 the complete ballot label designation of each slate pursuant to
 122 subsection (h) of section 9-437. The clerk of the municipality shall
 123 thereupon cause such notice to be published forthwith in a newspaper
 124 having a general circulation in such municipality, together with a
 125 statement of the date upon which the primary is to be held, the hours
 126 during which the polls shall be open and the location of the polls. [,
 127 and shall send a copy of such notice to the Secretary of the State and
 128 record the same.] The clerk of the municipality shall also file such
 129 notice with the Secretary of the State not later than three business days
 130 after receipt of such notice from the registrar of voters. The clerk shall
 131 forthwith publish any change in the proposed candidates, listing such
 132 changes.

133 Sec. 6. Section 9-190 of the general statutes is repealed and the
 134 following is substituted in lieu thereof (*Effective from passage*):

135 [Any town divided into two voting districts may, by vote of its
 136 legislative body, provide for the election of two registrars of voters for
 137 each voting district instead of] Each municipality shall have two
 138 registrars of voters for the entire town. Each registrar of voters shall
 139 reside in the town [and district] for which he is elected. Any special act
 140 to the contrary notwithstanding, in each municipality in which
 141 registrars of voters are elected, no elector shall vote for more than one
 142 registrar of voters for the voting district in which the elector resides,
 143 or, as the case may be, for the municipality at large. The candidate

144 having the highest number of votes and the candidate having the next
 145 highest number of votes for the office of registrar of voters, who does
 146 not belong to the same political party as the candidate having the
 147 highest number, shall be declared elected registrars of voters for the
 148 municipality [or district,] provided, if the candidate for registrar of
 149 voters of a major party is not one of the registrars so elected, such
 150 candidate of such major party shall also be declared elected registrar of
 151 voters. For purposes of this section, a major party shall be one having
 152 the largest or next largest total number of enrolled party members in
 153 the state, as determined by the latest enrollment records in the office of
 154 the Secretary of the State submitted in accordance with the provisions
 155 of section 9-65 of the 2008 supplement to the general statutes. [The
 156 term of office of all registrars of voters for voting districts in office on
 157 January 7, 1995, shall expire on January 8, 1997, and on November 5,
 158 1996, two registrars shall be elected for each municipality with more
 159 than two voting districts which previously elected registrars of voters
 160 for voting districts.]

161 Sec. 7. (NEW) (*Effective from passage*) The Secretary of the State, or
 162 the secretary's designee, shall be allowed access to each polling place
 163 within the state during any municipal, state or federal election or
 164 primary for the purpose of reviewing each polling place for
 165 compliance with state and federal law.

166 Sec. 8. Section 9-311 of the general statutes is repealed and the
 167 following is substituted in lieu thereof (*Effective from passage*):

168 (a) If, within three days after an election, it appears to the moderator
 169 that there is a discrepancy in the returns of any voting district, such
 170 moderator shall forthwith within said period summon, by written
 171 notice delivered personally, the recanvass officials, consisting of [the
 172 mechanic or mechanics,] at least two checkers of different political
 173 parties and at least two absentee ballot counters of different political
 174 parties who served at such election, and the registrars of voters [and
 175 the clerk] of the municipality in which the election was held and such

176 other officials as may be required to conduct such recanvass. Such
 177 written notice shall require [such] the clerk or registrars of voters, as
 178 the case may be, to bring with [him] them the depository envelopes
 179 required by section 9-150a, the package of write-in ballots provided for
 180 in section 9-310 of the 2008 supplement to the general statutes, the
 181 absentee ballot applications, the list of absentee ballot applications, the
 182 registry list and the moderators' returns and shall require such
 183 recanvass officials to meet at a specified time not later than the fifth
 184 business day after such election to recanvass the returns of a voting
 185 machine or voting machines or absentee ballots or write-in ballots used
 186 in such district in such election. If any of such recanvass officials are
 187 unavailable at the time of the recanvass, the registrar of voters of the
 188 same political party as that of the recanvass official unable to attend
 189 shall designate another elector having previous training and
 190 experience in the conduct of elections to take his place. Before such
 191 recanvass is made, such moderator shall give notice, in writing, to the
 192 chairman of the town committee of each political party which
 193 nominated candidates for the election, and, in the case of a state
 194 election, not later than twenty-four hours after a determination is made
 195 regarding the need for a recanvass to the Secretary of the State, of the
 196 time and place where such recanvass is to be made; and each such
 197 chairman may send [two] representatives to be present at such
 198 recanvass. Such representatives may observe, but no one other than a
 199 recanvass official may take part in the recanvass. If any irregularity in
 200 the recanvass procedure is noted by such a representative, he shall be
 201 permitted to present evidence of such irregularity in any contest
 202 relating to the election.

203 (b) The moderator shall determine the place or places where the
 204 recanvass shall be conducted and, if such recanvass is held before the
 205 machines are boxed and collected in the manner required by section 9-
 206 266 of the 2008 supplement to the general statutes, the moderator may
 207 either require that such recanvass of such machines be conducted in
 208 each place where the machines are located, or he may require that they
 209 be removed to one central place, where such recanvass shall be

210 conducted. All recanvassing procedures shall be open to public
 211 observation. Such recanvass officials shall, in the presence of such
 212 moderator and [clerk] registrars of voters, make a record of the
 213 number on the seal and the number on the protective counter, if one is
 214 provided, on each voting machine specified by such moderator. Such
 215 [clerk] registrars of voters in the presence of such moderator shall turn
 216 over the keys of each such machine to such recanvass officials, and
 217 such recanvass officials, in the presence of such clerk and moderator,
 218 shall immediately proceed to [open the counter compartment of each
 219 such machine and, without unlocking such machine against voting,]
 220 recanvass the vote cast thereon, and shall then open the package of
 221 absentee ballots and recanvass the vote cast thereon. In the course of
 222 the recanvass of the absentee ballot vote the recanvass officials shall
 223 check all outer envelopes for absentee ballots against the inner
 224 envelopes for such ballots and against the registry list to verify
 225 postmarks, addresses and registry list markings and also to determine
 226 whether the number of envelopes from which absentee ballots have
 227 been removed is the same as the number of persons checked as having
 228 voted by absentee ballot. The write-in ballots shall also be recanvassed
 229 at this time. All of the recanvass officials shall use the same forms for
 230 tallies and returns as were used at the original canvass and the
 231 absentee ballot counters shall also sign the tallies.

232 (c) The votes shall be announced and recorded in the manner
 233 prescribed in section 9-309 on return forms provided by the [municipal
 234 clerk] registrars of voters and appended thereto shall be a statement
 235 signed by the moderator indicating the time and place of the recanvass
 236 and the names, addresses, titles and party affiliations of the recanvass
 237 officials. The write-in ballots shall be replaced in a properly secured
 238 sealed package. Upon the completion of such recanvass, [such
 239 machine] any tabulator used in such recanvass shall be locked and
 240 sealed, the keys thereof shall immediately be returned to such [clerk]
 241 registrars of voters and such machine shall remain so locked until the
 242 expiration of fourteen days after such election or for such longer
 243 period as is ordered by a court of competent jurisdiction. The absentee

244 ballots shall be replaced in their wrappers and be resealed by the
245 moderator in the presence of the recanvass officials. Upon the
246 completion of such recanvass, such moderator and at least two of the
247 recanvass officials of different political parties shall forthwith prepare
248 and sign such return forms which shall contain a written statement
249 giving the result of such recanvass for each machine and each package
250 of absentee ballots whose returns were so recanvassed, setting forth
251 whether or not the original canvass was correctly made and stating
252 whether or not the discrepancy still remains unaccounted for. Such
253 return forms containing such statement shall forthwith be filed by the
254 moderator in the office of such clerk. If such recanvass reveals that the
255 original canvass of returns was not correctly made, such return forms
256 containing such statement so filed with the clerk shall constitute a
257 corrected return. In the case of a state election, a recanvass return shall
258 be made in duplicate on a form prescribed and provided by the
259 Secretary of the State, and the moderator shall file one copy with the
260 Secretary of the State and one copy with the town clerk not later than
261 ten days after the election. Such recanvass return shall be substituted
262 for the original return and shall have the same force and effect as an
263 original return.

264 (d) As used in this section, (1) "moderator" means, in the case of
265 municipalities not divided into voting districts, the moderator of the
266 election and, in the case of municipalities divided into voting districts,
267 the head moderator of the election, and (2) "registrars of voters", in a
268 municipality where there are different registrars of voters for different
269 voting districts, means the registrars of voters in the voting district in
270 which, at the last-preceding election, the presiding officer for the
271 purpose of declaring the result of the vote of the whole municipality
272 was moderator.

273 Sec. 9. Section 9-258 of the 2008 supplement to the general statutes is
274 repealed and the following is substituted in lieu thereof (*Effective from*
275 *passage*):

276 For municipalities with more than one voting district, the election
277 officials of each polling place, including voting tabulator technicians,
278 shall be electors of the state and shall consist of one moderator, at least
279 one but not more than two official checkers, two assistant registrars of
280 voters of opposite political parties, each of whom shall be residents of
281 the town, not more than two challengers if the registrars of voters have
282 appointed challengers pursuant to section 9-232, and at least one and
283 not more than two ballot clerks and at least one but not more than two
284 voting tabulator tenders for each voting tabulator in use at the polling
285 place. A known candidate for any office shall not serve as an election
286 official on election day or serve at the polls in any capacity, except that
287 a municipal clerk or a registrar of voters, who is a candidate for the
288 same office, may perform his or her official duties. If, in the opinion of
289 the registrar of voters, the public convenience of the electors in any
290 voting district so requires, provision shall be made for an additional
291 line or lines of electors at the polling place and, if more than one line of
292 electors is established, at least one but not more than two additional
293 official checkers and at least one but not more than two ballot clerks
294 for each line of electors shall be appointed and, if more than one
295 tabulator is used in a polling place, at least one and not more than two
296 additional voting tabulator tenders shall be appointed for each
297 additional machine so used. Head moderators, central counting
298 moderators, absentee ballot counters and voting tabulator technicians
299 appointed pursuant to law shall also be deemed election officials. For
300 municipalities with one voting district, the election officials of such
301 polling place, except voting tabulator technicians, shall be electors of
302 the [town] state and shall consist of: One moderator, at least one, but
303 not more than two official checkers, not more than two challengers if
304 the registrars of voters have appointed challengers pursuant to section
305 9-232, at least one and not more than two voting tabulator tenders for
306 each voting tabulator in use at the polling place and at least one but
307 not more than two ballot clerks. Additionally, such election officials
308 may consist of two registrars of voters of opposite political parties, or
309 two assistant registrars of voters of opposite political parties, as the

310 case may be, subject to the requirements of sections 9-259 of the 2008
 311 supplement to the general statutes and 9-439, [who shall: (1) Be
 312 available by telephone and notify all registrars of voters' offices in the
 313 state of such telephone number, (2) be connected to the state-wide
 314 computerized registry list, and (3) have all voter card files in the
 315 polling place for reference] provided the registrars of voters or their
 316 designees are in their office. A known candidate for any office shall not
 317 serve as an election official on election day or serve at the polls in any
 318 capacity, except that a municipal clerk or a registrar of voters, who is a
 319 candidate for the same office, may perform his or her official duties. If,
 320 in the opinion of the registrar of voters, the public convenience of the
 321 electors in any voting district so requires, provision shall be made for
 322 an additional line or lines of electors at the polling place and, if more
 323 than one line of electors is established, at least one, but not more than
 324 two, additional official checkers for each line of electors shall be
 325 appointed and, if more than one tabulator is used in a polling place, at
 326 least one and not more than two additional voting tabulator tenders
 327 shall be appointed for each additional tabulator so used. Head
 328 moderators, central counting moderators, absentee ballot counters and
 329 voting tabulator technicians appointed pursuant to law shall be
 330 deemed to be election officials. No election official shall perform
 331 services for any party or candidate on election day nor appear at any
 332 political party headquarters prior to eight o'clock p.m. on election day.

333 Sec. 10. (NEW) (*Effective from passage*) The registrar of voters of each
 334 municipality shall, not later than thirty-one days prior to each
 335 municipal, state or federal election or primary, notify the Secretary of
 336 the State of the polling places that will be used for such election or
 337 primary. Such notice shall detail the name, address and corresponding
 338 federal, state and municipal districts associated with each polling place
 339 used for such election or primary.

340 Sec. 11. Section 9-265 of the 2008 supplement to the general statutes
 341 is repealed and the following is substituted in lieu thereof (*Effective*
 342 *from passage*):

343 (a) A write-in vote for an office, cast for a person who has registered
344 as a write-in candidate for the office pursuant to subsection (b) of
345 section 9-175 or section 9-373a, shall be counted and recorded. Except
346 as otherwise provided in this section, a write-in vote cast for a person
347 who has not registered shall not be counted or recorded.

348 (b) Except as otherwise provided in this section, in the case of an
349 office for which an elector may vote for only one candidate, a write-in
350 vote cast for a person nominated for that office by a major or minor
351 party or by nominating petition shall be counted and recorded. In the
352 case of an office for which an elector may vote for more than one
353 candidate, a write-in vote cast for a person nominated for that office by
354 a major or minor party or by nominating petition shall [not] be
355 counted [or] and recorded if it can be determined which candidate
356 such vote should be attributed to.

357 (c) A write-in vote for the office of Governor or Lieutenant
358 Governor, cast for a person nominated for either of those offices by a
359 major or minor party or by nominating petition, in conjunction with a
360 write-in vote for the other such office cast for a person nominated for
361 either office by a different party or petition, shall not be counted or
362 recorded for either office.

363 (d) Except as hereinafter provided, a write-in vote for the office of
364 President or Vice-President cast for a person nominated for such office
365 by a major or minor party or by nominating petition shall be counted
366 and recorded and deemed to be a vote for each of the duly-nominated
367 candidates for the office of presidential elector represented by such
368 candidate for President or Vice-President. A write-in vote for the office
369 of President or Vice-President, cast for a person nominated for either of
370 such offices by a major or minor party or by nominating petition, in
371 conjunction with a write-in vote for the other such office cast for a
372 person nominated for either office by a different party or petition, shall
373 not be counted or recorded for either office.

374 (e) If the name of a person is written in for the office of Governor or

375 Lieutenant Governor, or President or Vice-President, as the case may
376 be, and no name is written in for the other office, such write-in vote
377 shall be counted and recorded if it meets the other requirements of this
378 section.

379 (f) A write-in vote shall be cast in its appropriate place on the ballot.
380 A write-in vote for Governor and Lieutenant Governor, or for
381 President and Vice-President, as the case may be, shall be written in a
382 single space, provided that if only one name is written in the space it
383 shall be deemed to be a vote for Governor, or for President, as the case
384 may be, unless otherwise indicated. A write-in vote shall be written
385 upon the ballot.

386 (g) A write-in vote which is not cast as provided in this section shall
387 not be counted or recorded.

388 Sec. 12. Section 9-253 of the general statutes is repealed and the
389 following is substituted in lieu thereof (*Effective from passage*):

390 When a major or minor party is entitled to nominate two or more
391 candidates for a particular office, the order of the names of its
392 candidates for such office appearing on the [voting machine] ballot
393 [label] shall be determined by the registrars of voters by lot in a
394 ceremony which shall be open to the public, except as hereinafter
395 provided. When such a candidate is nominated for the same office by
396 more than one party, his name shall appear on each appropriate row
397 on the [voting machine] ballot [label] in the same column in which it
398 appears under the foregoing provision in either (1) the party row of the
399 party with which he is enrolled, or (2) the first party row on which his
400 name is to appear if such candidate is an unaffiliated elector in the
401 order that such candidate's name was drawn for each political party.
402 The registrars of voters shall provide at least five days' public notice
403 for each ceremony held under this section. The ballot order of
404 nominating petition candidates for multiple-opening offices shall be as
405 prescribed in section 9-453r.

406 Sec. 13. Section 9-460 of the 2008 supplement to the general statutes
407 is repealed and the following is substituted in lieu thereof (*Effective*
408 *from passage*):

409 If any party has nominated a candidate for office, or, on and after
410 November 4, 1981, if a candidate has qualified to appear on any ballot
411 by nominating petition under a reserved party designation, in
412 accordance with the provisions of this chapter, and such nominee
413 thereafter, but prior to twenty-four days before the opening of the
414 polls on the day of the election for which such nomination has been
415 made, dies, withdraws such nominee's name or for any reason
416 becomes disqualified to hold the office for which such nominee has
417 been nominated (1) such party or, on and after November 4, 1981, the
418 party designation committee may make a nomination to fill such
419 vacancy or provide for the making of such nomination as its rules
420 prescribe, and (2) if another party that is qualified to nominate a
421 candidate for such office does not have a nominee for such office, such
422 party may also nominate a candidate for such office as its rules
423 prescribe. No withdrawal, and no nomination to replace a candidate
424 who has withdrawn, under this section shall be valid unless the
425 candidate who has withdrawn has filed a letter of withdrawal signed
426 by such candidate with the Secretary of the State in the case of a state
427 or district office or the office of state senator, [or] state representative
428 or judge of probate from any district, or with the municipal clerk in the
429 case of a municipal office other than state senator, [or] state
430 representative or judge of probate. A copy of such candidate's letter of
431 withdrawal to the municipal clerk shall also be filed with the Secretary
432 of the State. No nomination to fill a vacancy under this section shall be
433 valid unless it is certified to the Secretary of the State in the case of a
434 state or district office or the office of state senator, [or] state
435 representative or judge of probate from any district, or to the
436 municipal clerk in the case of a municipal office other than state
437 senator, [or] state representative or judge of probate, by the
438 organization or committee making such nomination, at least twenty-
439 one days before the opening of the polls on the day of the election,

except as otherwise provided by this section. If a nominee dies within twenty-four days, but prior to twenty-four hours before the opening of the polls on the day of the election for which such nomination has been made, the vacancy may be filled in the manner prescribed in this section by two o'clock p.m. of the day before the election with the municipal clerk or the Secretary of the State, as the case may be. If a nominee dies within twenty-four hours before the opening of the polls and prior to the close of the polls on the day of the election for which such nomination has been made, such nominee shall not be replaced and the votes cast for such nominee shall be canvassed and counted, and if such nominee receives a plurality of the votes cast, a vacancy shall exist in the office for which the nomination was made. The vacancy shall then be filled in a manner prescribed by law. A copy of such certification to the municipal clerk shall also be filed with the Secretary of the State. Such nomination to fill a vacancy due to death or disqualification shall include a statement setting forth the reason for such vacancy. If at the time such nomination is certified to the Secretary of the State or to the municipal clerk, as the case may be, the ballot labels have already been printed, the Secretary of the State shall direct the municipal clerk in each municipality affected to (A) have the ballot labels reprinted with the nomination thus made included thereon, (B) cause printed stickers to be affixed to the ballot labels so that the name of any candidate who has died, withdrawn or been disqualified is deleted and the name of any candidate chosen to fill such vacancy appears in the same position as that in which the vacated candidacy appeared, or (C) cause blank stickers to be so affixed or have the name of such candidate otherwise blackened if the vacancy is not filled.

Sec. 14. Section 9-428 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

If a party-endorsed candidate for nomination to an office or for election to the position of town committee member, prior to twenty-four hours before the opening of the polls at the primary, dies or, prior

473 to ten days before the day of such primary, withdraws his name from
 474 nomination or for any reason becomes disqualified to hold the office or
 475 position for which he is a candidate, the state central committee, the
 476 town committee or other authority of the party which endorsed such
 477 candidate may make an endorsement to fill such vacancy or provide
 478 for the making of such endorsement, in such manner as is prescribed
 479 in the rules of such party, and certify to the registrar and municipal
 480 clerk or to the Secretary of the State, as the case may be, the name of
 481 the person so endorsed. If such certification is made at least twenty-
 482 four hours prior to the opening of the polls at the primary, in the case
 483 of such an endorsement to replace a candidate who has died, or at least
 484 seven days before the day of such primary, in the case of such an
 485 endorsement to replace a candidate who has withdrawn or become
 486 disqualified, such person so endorsed shall run in the primary as the
 487 party-endorsed candidate, except as provided in sections 9-416 and 9-
 488 417. If such certification of another party-endorsed candidate has been
 489 made within the time specified in this section, and if the ballot [labels
 490 have] has already been printed and the names of the candidates for
 491 such office or position appear on the ballot, [labels,] the Secretary of
 492 the State or the registrar, as the case may be, shall direct the clerk of
 493 each municipality holding such primary to have the ballot [labels]
 494 reprinted with the name of the person so certified included thereon;
 495 provided, in the case of such an endorsement to replace a candidate
 496 who has died, if such certification has been made less than ninety-six
 497 hours but at least twenty-four hours prior to the opening of the polls at
 498 the primary, such secretary or registrar shall direct such clerk to have
 499 stickers printed and inserted upon the ballot labels, having the name of
 500 the person so certified appearing thereon, and the moderator in each
 501 polling place shall cause such stickers to be pasted on the ballot labels
 502 before the opening of the polls at such primary.

503 Sec. 15. Section 9-409 of the general statutes is repealed and the
 504 following is substituted in lieu thereof (*Effective from passage*):

505 Petition forms for candidacies for nomination to municipal office or

506 for election as members of town committees shall be available from the
 507 registrar beginning on the day following the making of the party's
 508 endorsement of a candidate or candidates for such office or position, or
 509 beginning on the day following the final day for the making of such
 510 endorsement under the provisions of section 9-391, whichever comes
 511 first. Any person who requests a petition form shall give his name and
 512 address and the name, address and office or position sought of each
 513 candidate for whom the petition is being obtained, and shall file a
 514 statement signed by each such candidate that he consents to be a
 515 candidate for such office or position. In the case of the municipal
 516 offices of state senator, [and] state representative or judge of probate,
 517 each candidate shall include on the statement of consent his name as
 518 he authorizes it to appear on the ballot. Upon receiving such
 519 information and statement, the registrar shall type or print on a
 520 petition form the name and address of each such candidate, the office
 521 sought and the political party holding the primary. The registrar shall
 522 give to any person requesting such form one or more petition pages,
 523 suitable for duplication, as the registrar deems necessary. If the person
 524 is requesting the form on behalf of an indigent candidate or a group of
 525 indigent candidates listed on the same petition, the registrar shall give
 526 the person a number of petition pages determined by the registrar as at
 527 least two times the number needed to contain the required number of
 528 signatures for a candidacy for nomination to municipal office or a
 529 number of petition pages determined by the registrar as at least five
 530 times the number needed to contain the required number of signatures
 531 for a candidacy for election as a town committee member. An original
 532 petition page filled in by the registrar may be duplicated by or on
 533 behalf of the candidate or candidates listed on the page and signatures
 534 may be obtained on such duplicates. The duplicates may be filed in the
 535 same manner and shall be subject to the same requirements as original
 536 petition pages. All information relative to primary petitions shall be a
 537 public record.

538 Sec. 16. Subsection (b) of section 9-453o of the general statutes is
 539 repealed and the following is substituted in lieu thereof (*Effective from*

540 *passage*):

541 (b) Except as otherwise provided in this subsection, the Secretary of
 542 the State shall approve every nominating petition which contains
 543 sufficient signatures counted and certified on approved pages by the
 544 town clerks. In the case of a candidate who petitions under a reserved
 545 party designation the secretary shall approve the petition only if it
 546 meets the signature requirement and if a statement endorsing such
 547 candidate is filed with the secretary by the party designation
 548 committee not later than four o'clock p.m. on the [fifty-fifth] sixty-
 549 second day before the election. In the case of a candidate who petitions
 550 under a party designation which is the same as the name of a minor
 551 party the secretary shall approve the petition only if it meets the
 552 signature requirement and if a statement endorsing such candidate is
 553 filed in the office of the secretary by the chairman or secretary of such
 554 minor party not later than four o'clock p.m. on the [fifty-fifth] sixty-
 555 second day before the election. No candidate shall be qualified to
 556 appear on any ballot by nominating petition unless the candidate's
 557 petition is approved by the secretary pursuant to this subsection.

558 Sec. 17. Subsections (a) to (d), inclusive, of section 9-320f of the 2008
 559 supplement to the general statutes are repealed and the following is
 560 substituted in lieu thereof (*Effective from passage*):

561 (a) Not [earlier than the fifteenth day after any election or primary
 562 and not] later than [two] the tenth business [days before the canvass of
 563 votes by the Secretary of the State, Treasurer and Comptroller, for any
 564 federal or state election or primary or by the town clerk for any
 565 municipal election or primary] day after any election or primary, the
 566 registrars of voters shall conduct a manual audit of the votes recorded
 567 in not less than ten per cent of the voting districts in the state, district
 568 or municipality, whichever is applicable. Such manual audit shall be
 569 noticed in advance and be open to public observation. Any election
 570 official who participates in the administration and conduct of an audit
 571 pursuant to this section shall be compensated by the municipality at

572 the standard rate of pay established by such municipality for elections
573 or primaries, as the case may be.

574 (b) The voting districts subject to the audit described in subsection
575 (a) of this section shall be selected in a random drawing by the
576 Secretary of the State and such selection process shall be open to the
577 public. The offices subject to the audit pursuant to this section shall be,
578 (1) in the case of an election where the office of presidential elector is
579 on the ballot, all offices required to be audited by federal law, plus one
580 additional office selected in a random drawing by the Secretary of the
581 State, but in no case less than three offices, (2) in the case of an election
582 where the office of Governor is on the ballot, all offices required to be
583 audited by federal law, plus one additional office selected in a random
584 drawing by the Secretary of the State, but in no case less than three
585 offices, (3) in the case of a municipal election, three offices or twenty
586 per cent of the number of offices on the ballot, whichever is greater,
587 selected at random by the municipal clerk, and (4) in the case of a
588 primary election, all offices required to be audited by federal law, plus
589 one additional office, if any, but in no event less than twenty per cent
590 of the offices on the ballot, selected in a random drawing by the
591 municipal clerk.

592 (c) If a selected voting district has an office that is subject to
593 [recanvass or] an election or primary contest pursuant to the general
594 statutes, the Secretary shall select an alternative district, pursuant to
595 the process described in subsection (b) of this section. If a selected
596 district has an office that is subject to recanvass, such recanvass shall
597 be conducted by counting each ballot included in such recanvass
598 manually. Such manual recanvass shall also satisfy the requirements of
599 the manual audit, as provided in this section. The ballots subject to
600 such recanvass shall not be subject to an additional audit pursuant to
601 this section. The registrars of voters shall comply with any procedures
602 adopted by the Secretary of the State to ensure the reliability and
603 accuracy of voting machines, including, but not limited to, procedures
604 for the shipment of memory cards to the Secretary of the State, or the

605 secretary's designee, for review. Any municipality that fails to comply
 606 with such procedures may be subject to and required to conduct, at the
 607 municipality's expense, a full hand count of all ballots used in an
 608 election or primary in order to ensure accuracy and reliability. Such
 609 full hand count shall be ordered at the discretion of the Secretary of the
 610 State.

611 (d) The manual audit described in subsection (a) of this section shall
 612 consist of the manual tabulation of the paper ballots cast and counted
 613 by each voting machine subject to such audit. Once complete, the vote
 614 totals established pursuant to the manual tabulation shall be compared
 615 to the results reported by the voting machine on the day of the election
 616 or primary. The results of the manual tabulation shall be reported on a
 617 form prescribed by the Secretary of the State which shall include the
 618 total number of ballots counted, the total votes received by each
 619 candidate in question, the total votes received by each candidate in
 620 question on ballots that were properly completed by each voter and
 621 the total votes received by each candidate in question on ballots that
 622 were not properly completed by each voter. Such report shall be filed
 623 with the Secretary of the State who shall immediately forward such
 624 report to The University of Connecticut for analysis, provided The
 625 University of Connecticut has entered into an agreement with the
 626 Secretary of the State pursuant to section 9-241 of the 2008 supplement
 627 to the general statutes. The University of Connecticut shall file a
 628 written report with the Secretary of the State regarding such analysis
 629 that describes any discrepancies identified. After receipt of such report,
 630 the Secretary of the State shall file such report with the State Elections
 631 Enforcement Commission.

632 Sec. 18. Subsection (a) of section 9-236b of the general statutes is
 633 repealed and the following is substituted in lieu thereof (*Effective from*
 634 *passage*):

635 (a) The Secretary of the State shall provide each municipality with
 636 sufficient quantities of a poster size copy, at least eighteen by twenty-

637 four inches, of a Voter's Bill of Rights, which shall be posted
638 conspicuously at each polling place. The text of the Voter's Bill of
639 Rights shall be:

640 "VOTER'S BILL OF RIGHTS

641 Every registered voter in this state has the right to:

642 (1) Inspect a sample ballot before voting;

643 (2) Receive instructions concerning how to operate voting
644 equipment, on sample voting equipment before voting;

645 (3) Cast a ballot if the voter is in line when the polls are closing;

646 (4) Ask for and receive assistance in voting, including assistance in
647 languages other than English where required by federal or state law;

648 (5) Vote free from coercion or intimidation by election officials or
649 any other person;

650 (6) Cast a ballot using voting equipment that accurately counts all
651 votes;

652 (7) Vote by provisional ballot if the individual registered to vote and
653 the individual's name is not on the voter list;

654 (8) Be informed of the process for restoring the individual's right to
655 vote if the individual was incarcerated for a felony conviction; [and]

656 (9) Vote independently and in privacy at a polling place, regardless
657 of physical disability; and

658 (10) Be informed of the different voting options available and have
659 the right to use the voting system of their choice from the systems
660 available.

661 If any of your rights have been violated, you have the right to file an
662 official complaint with the State Elections Enforcement Commission at

663 (toll-free telephone number) or the United States Department of
664 Justice at (toll-free telephone number). In addition, before leaving
665 the polling place you may notify the moderator of the violation."

666 Sec. 19. Subsections (a) to (d), inclusive, of section 9-436 of the
667 general statutes are repealed and the following is substituted in lieu
668 thereof (*Effective from passage*):

669 [(a) Voting machines shall be used at each primary, provided, (1) if,
670 because of the number of offices and positions to be voted upon at a
671 primary, there is an insufficient number of vertical columns on any
672 machine to be used in a municipality, the vote in such municipality at
673 such primary for such offices or positions as the Secretary of the State
674 determines shall be taken by paper ballots, and (2) if, because of the
675 number of candidates for any office or position to be voted upon at a
676 primary, there is an insufficient number of horizontal rows with
677 respect to such office or position on any machine to be used in the
678 municipality, the vote in such municipality at such primary for such
679 office or position shall be taken by paper ballots. More than one voting
680 machine may be used in any voting district if the registrar so
681 prescribes.]

682 (a) The registrar shall furnish a number of voting [machines] booths
683 sufficient to provide a voting [machine] booth for each twenty-four
684 hundred or fraction of twenty-four hundred electors eligible to vote at
685 such primary in the municipality or voting district, as the case may be,
686 and other necessary equipment. In each polling place in which a party
687 has authorized unaffiliated electors, pursuant to section 9-431, to vote
688 for some but not all offices to be contested at the primary, a separate
689 voting [machine] booth shall be used for such unaffiliated electors and
690 the registrar shall separately furnish one voting machine for each
691 twenty-four hundred or fraction of twenty-four hundred enrolled
692 party members and one voting [machine] booth for each twenty-four
693 hundred or fraction of twenty-four hundred unaffiliated electors
694 authorized to vote at such primary in such district. In determining

695 such number of electors, enrolled party members or unaffiliated
696 electors, the registrar shall not count the names on the enrollment or
697 registry lists of seventy-five per cent of such electors, unaffiliated
698 electors or enrolled party members who reside in institutions, as
699 defined in section 9-159q. The registrar may provide more than the
700 minimum number of voting [machines] booths required by this
701 section.

702 (b) The registrar [shall] may appoint a suitable mechanic or
703 mechanics to prepare, adjust and place the voting machines for use at
704 the primary under the direction of the registrar. A voting machine
705 mechanic shall be deemed a primary official but need not be an elector
706 of any town.

707 (c) Each machine shall be so arranged that the elector may vote for
708 as many persons for nomination or election to each office or position as
709 there are persons to be nominated or elected, as the case may be, and
710 no more, and so that the elector may vote for individual candidates;
711 provided the vote for justices of the peace shall be by slate, as provided
712 in section 9-443.

713 (d) The registrar shall appoint from among the enrolled party
714 members in the [municipality or political subdivision holding the
715 primary, as the case may be,] state to serve in each polling place, the
716 primary polling place officials, who shall consist of one moderator, at
717 least one but not more than two official checkers, not more than two
718 challengers if he deems it necessary, and at least one and not more
719 than two ballot clerks and at least one but not more than two voting
720 [machine] tabulator tenders for each [machine] tabulator in use at such
721 primary and, in towns with two or more voting districts at least one
722 and not more than two assistant registrars. [, provided (1) in the case of
723 a political subdivision holding a primary, if no enrolled party member
724 who resides in the political subdivision and who is a certified
725 moderator consents to serve as a moderator, the registrar may appoint
726 any enrolled party member who resides in the municipality and is a

727 certified moderator to be moderator, (2) in the case of either a
 728 municipality or a political subdivision holding a primary, if no
 729 enrolled party member can be found or no such person consents to
 730 serve as a moderator, the registrar may appoint any elector who
 731 resides in the municipality and is a certified moderator to be
 732 moderator, (3) in the case of a political subdivision holding a primary,
 733 if an insufficient number of enrolled party members who reside in the
 734 political subdivision consent to serve as checkers, challengers, voting
 735 machine tenders or assistant registrars, the registrar may appoint any
 736 enrolled party member who resides in the municipality to be a checker,
 737 challenger, voting machine tender or assistant registrar and (4) in the
 738 case of either a municipality or a political subdivision holding a
 739 primary, if a sufficient number of enrolled party members cannot be
 740 found or do not consent to serve in a position described in subdivision
 741 (3) of this subsection, the registrar may appoint any elector who
 742 resides in the municipality to any such position.] If unaffiliated electors
 743 are authorized under section 9-431 to vote for some but not all of the
 744 offices to be contested at the primary, the registrar shall appoint two
 745 additional checkers to check the list of unaffiliated electors who are
 746 authorized to vote on the separate machines. If unaffiliated electors are
 747 authorized under section 9-431 to vote in the primary of either of two
 748 parties in the same polling place, whether for some or for all offices to
 749 be contested at the primary, each such registrar shall appoint two
 750 additional checkers to check the list of unaffiliated electors who are
 751 authorized to vote in either such primary.

752 Sec. 20. Subsection (a) of section 9-238 of the 2008 supplement to the
 753 general statutes is repealed and the following is substituted in lieu
 754 thereof (*Effective from passage*):

755 (a) Except as provided in sections 9-271 and 9-272 of the 2008
 756 supplement to the general statutes, voting [machines] tabulators shall
 757 be used at all elections held in any municipality, or in any part thereof,
 758 for voting and registering and counting votes cast at such elections for
 759 officers, and upon all questions or amendments submitted at such

760 elections. The board of selectmen of each town, the common council of
 761 each city and the warden and burgesses of each borough shall
 762 purchase or lease, or otherwise provide, for use at elections in each
 763 such municipality a number of voting tabulators approved by the
 764 Secretary of the State. Different voting tabulators may be provided for
 765 different voting districts in the same municipality. Notwithstanding
 766 any provision of this subsection to the contrary, the registrars of voters
 767 of a municipality may determine the number of voting tabulators that
 768 shall be provided for use at any special election or referendum in such
 769 municipality. [provided the registrars shall provide at least one
 770 voting tabulator in the municipality or, in a municipality divided into
 771 voting districts, at least one voting tabulator in each such district.]

772 Sec. 21. (NEW) (*Effective January 1, 2009*) Any elector who is
 773 permanently disabled and who files an application for an absentee
 774 ballot along with a certification from a physician indicating that such
 775 elector is permanently disabled and unable to appear in person at such
 776 elector's designated polling location shall be eligible for permanent
 777 absentee ballot status and shall receive an absentee ballot for each
 778 election, primary or referendum conducted in the elector's
 779 municipality for which such elector is eligible to vote. Such elector's
 780 permanent absentee ballot status shall remain in effect until the elector
 781 is removed from the official registry list of the municipality or until the
 782 elector requests that he or she no longer receive such permanent
 783 absentee ballot status.

784 Sec. 22. (NEW) (*Effective from passage*) Notwithstanding any
 785 provision of the general statutes, the registrars of voters shall ensure
 786 that each voting booth is placed in a location that is in plain view of all
 787 election officials and electors waiting to vote provided there shall be
 788 not less than three feet between each such voting booth. Each voting
 789 booth shall be situated so that no person outside such booth can
 790 determine how an individual utilizing such booth voted.

791 Sec. 23. (NEW) (*Effective from passage*) The voting tabulator shall be

792 placed not less than three feet from any wall, partition or guardrail and
 793 not less than four feet from the checkers' table. The registrars of voters
 794 shall place a guardrail or other marking device around such tabulator
 795 to prevent electors waiting in line from encroaching upon an elector
 796 who is submitting their ballot into the tabulator. Such guardrail or
 797 other marking device shall be placed not less than three feet from the
 798 tabulator and shall be arranged in a manner to prevent electors from
 799 determining the votes cast on each ballot submitted into the tabulator.

800 Sec. 24. (NEW) (*Effective from passage*) The registrars of voters shall
 801 either ensure that each ballot clerk offer every elector a privacy sleeve
 802 into which the ballot can be inserted and fully shielded from view or,
 803 in the alternative, place such privacy sleeve in every voting booth for
 804 the elector's use. No elector shall be required to accept a privacy sleeve.

805 Sec. 25. (*Effective from passage*) Section 9-191 of the general statutes is
 806 repealed.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-247a
Sec. 2	<i>from passage</i>	9-250
Sec. 3	<i>from passage</i>	9-140c(e) to (h)
Sec. 4	<i>from passage</i>	9-150a(a)
Sec. 5	<i>from passage</i>	9-435
Sec. 6	<i>from passage</i>	9-190
Sec. 7	<i>from passage</i>	New section
Sec. 8	<i>from passage</i>	9-311
Sec. 9	<i>from passage</i>	9-258
Sec. 10	<i>from passage</i>	New section
Sec. 11	<i>from passage</i>	9-265
Sec. 12	<i>from passage</i>	9-253
Sec. 13	<i>from passage</i>	9-460
Sec. 14	<i>from passage</i>	9-428
Sec. 15	<i>from passage</i>	9-409
Sec. 16	<i>from passage</i>	9-453o(b)
Sec. 17	<i>from passage</i>	9-320f(a) to (d)

Sec. 18	<i>from passage</i>	9-236b(a)
Sec. 19	<i>from passage</i>	9-436(a) to (d)
Sec. 20	<i>from passage</i>	9-238(a)
Sec. 21	<i>January 1, 2009</i>	New section
Sec. 22	<i>from passage</i>	New section
Sec. 23	<i>from passage</i>	New section
Sec. 24	<i>from passage</i>	New section
Sec. 25	<i>from passage</i>	Repealer section

Statement of Purpose:

To make certain substantive revisions and technical corrections to the election laws.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]